

Attorney Docket No. 60097-0098

IPW

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kurt Heaton

Serial No.: 09/558,410

Filing Date: April 24, 2000

RECEIVED

JAN 03 2008

OFFICE OF PETITIONS

For: METHOD AND APPARATUS FOR CONTROLLING AT LEAST ONE SET-TOP BOX

Mail Stop IF

Commissioner for Patents

P. O. Box 1450

Alexandria, Virginia 22313-1450

12/31/2007 DALLEN 00000005 09558410

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SUPPLEMENTAL SUBMISSION OF FEES—37 C.F.R. 1.28(c)

Sir:

The undersigned patent owner hereby submits an issue fee payment of \$2,026.00 under 37 C.F.R. §1.28(c) for deficient payments made in error. The following is an itemization of the fees paid in error:

<u>Date Paid</u>	<u>Fee Type</u>	<u>Surcharge</u>	<u>Fee Paid</u>	<u>Fee Due</u>	<u>Difference</u>
4/24/00	Filing fee 1.16(a)(2)	None	\$345.00	\$ 760.00	\$ 415.00
4/24/00	Add'l Claims	None	\$171.00	\$ 342.00	\$ 171.00
12/12/2007	Issue Fee	None	\$ 0.00	\$1,440.00	\$1,440.00

Therefore, the Commissioner is authorized to charge our deposit account 50-1302 in the amount of \$2,026.00 for the difference due. The patent owner hereby requests acceptance of the enclosed check in full payment of the deficiency and issue fee due. However, if the amount is insufficient, or in excess of the amount actually due, the Commissioner is hereby authorized to

charge the foregoing total deficiency amount (including any applicable processing fee) or to credit any overpayment to our deposit account 50-1302.

The patent owner further states that, at the time of payment of each of the fees itemized above for the patent, the applicant and the patent owner believed in good faith that the applicant had small entity status. The patent owner recently discovered that such small entity status was claimed in error.


The patent owner also submits that the within payment should be treated as a loss of entitlement to a small entity status under 37 C.F.R. §1.27(g)(2).

Questions regarding the within payment may be addressed to the undersigned.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Date: December 17, 2007


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

On December 17, 2007

By


Annette Jacobs